

From: James Gende
Sent: Monday, June 11, 2018 10:58 AM
To: Jones, Andrew A. AAJ (5445) (Andrew.Jones@huschblackwell.com); 'Lappen, Susan'; Langley, Grant; Emile Banks (Emile@emilebankslaw.com)
Cc: okaters@jlk-law.com; dlang@jlk-law.com; Matt Harding; Nathaniel Cade
Subject: STIP_22_2018-06-08_26744.pdf

Attached please find proposed stipulation and order dismissing state law negligence claims with prejudice and without costs, as well as defendants' waiver of affirmative defenses regarding said state law claims.

Sincerely,
James J. Gende II

JJG



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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

THE ESTATE OF JAMES FRANKLIN PERRY, et al.

Plaintiffs,

v.

CHERYL WENZEL, R.N., et al,
Defendants.

Case No.12-CV-0664

STIPULATION REGARDING DISMISSAL OF STATE LAW CLAIMS

The undersigned counsel on behalf of the parties in the above-captioned matter hereby agree and stipulate that plaintiffs' Amended Complaint and all the causes of action set forth therein, as they relate to state law claims only, may be dismissed upon their merits, with prejudice and without costs to any party, and that all affirmative defenses related to state law claims of comparative and/or contributory negligence are waived by the remaining defendants.

Dated: 6-11-18

GENDE LAW OFFICE, S.C.

s/ James J. Gende II
James J. Gende II
State Bar No. 1030921
Attorneys for Plaintiff

Dated: _____

HUSCH BLACKWELL, S.C.

s/
Andrew A. Jones
State Bar No. 1023074
Attorneys for Defendants, Milwaukee County and the
individually-named Milwaukee County employees

Dated: _____

GRANT E. LANGLEY, CITY ATTORNEY

s/
Susan E. Lappen
State Bar No. 1003567
Attorneys for Defendants, City of Milwaukee and the
individually-named City of Milwaukee employees

Dated: 6-11-18

CADE LAW GROUP LLC

s/ Nathaniel Cade, Jr.

Nathaniel Cade, Jr.

State Bar No. 1028115

*Special Administrator for the Estate of James
Franklin Perry*

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

THE ESTATE OF JAMES FRANKLIN PERRY, et al.

Plaintiffs,

v.

CHERYL WENZEL, R.N., et al.,

Defendants.

Case No.12-CV-0664

ORDER REGARDING DISMISSAL OF STATE LAW CLAIMS

Pursuant to the foregoing stipulation of the parties, IT IS HEREBY ORDERED that:

1. Plaintiff's Amended Complaint and all the causes of action set forth therein, as they relate to state law claims only, may be dismissed upon their merits, with prejudice and without costs to any party, and
2. All affirmative defenses related to state law claims of comparative and/or contributory negligence are waived by the remaining defendants.

BY THE COURT:

The Hon. J.P. Stadtmueller

U.S. District Court Judge